

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

MILDRED LOUISE ALSTON,

**CASE NO. 20-03654-5-DMW
CHAPTER 13**

DEBTOR

MOTION FOR DISBURSEMENT

NOW COMES Travis Sasser, the Debtor's Attorney and moves pursuant to 11 U.S.C. §§ 330 (a)(4)(b), 503 (b), 1326(a)(2) and E.D.N.C LBR 3070-1(b) that the Court award him an administrative claim for attorney's fees and require the Chapter 13 Trustee to disburse those funds. In support of the Motion, the undersigned shows the Court the following:

1. The Debtor filed this Chapter 13 case on November 16, 2020, and it was dismissed on April 9, 2021. The case was dismissed prior to confirmation.
2. The Chapter 13 Trustee has received from the Debtor \$1,500.00. The full amount the Chapter 13 Trustee currently has on hand is \$1,500.00.
3. The base attorney fee for a Chapter 13 case is \$6,500.00. The undersigned attorney has received \$0.00 in attorney's fees paid by the Debtor prior to the filing of the petition. The undersigned attorney advanced the court filing fee in the amount of \$310.00 and the credit counseling fee in the amount of \$25.00.
4. The undersigned attorney has ably represented the interest of the Debtor in connection with this case and provided services reasonably likely to benefit the Debtor and/or the bankruptcy estate and/or were necessary to the administration of the case. These services include, but are not limited to the following:
 - (a) Consultation with the Debtor prior to filing the bankruptcy petition;
 - (b) Preparation of the petition and schedules;
 - (c) Preparation of Chapter 13 plan; and
 - (d) Defense of a Motion to Dismiss.
5. Pursuant to the Fee Contract between the undersigned and the Debtor, the Debtor agreed to pay the undersigned Attorney the base attorney fee and reimburse the filing fee and credit counseling fee. The Fee Contract also stipulated that there were other services not covered by the base attorney fee for which additional compensation could be awarded by the Court. Therefore, Travis Sasser has been approved for up to a total of \$6,835.00 in fees and reimbursements for this case.

6. Pursuant to E.D.N.C LBR 3070–1(d), the Trustee is authorized to retain from the payments of any Debtor whose case is dismissed prior to confirmation an administrative fee as set forth in the Court’s Administrative Guide.

7. Based on the foregoing, the undersigned is entitled to compensation of the full amount the Chapter 13 Trustee currently has on hand but not to exceed \$6,835.00, minus any amount of the Trustee’s administrative fee that has not yet been paid up to no more than the amount set forth in the Court’s Administrative Guide.

WHEREFORE the undersigned Attorney moves the Court to allow the undersigned Attorney an administrative claim for attorney’s fees and to be paid those attorney’s fees in the full amount the Chapter 13 Trustee currently has on hand but not to exceed \$6,835.00, minus any amount of the Trustee’s administrative fee that has not yet been paid up to no more than the amount set forth in the Court’s Administrative Guide, and for such other and further relief as is just and proper.

Dated: April 12, 2021

SASSER LAW FIRM

/s/ Travis Sasser
Travis Sasser, State Bar No. 26707
2000 Regency Parkway, Suite 230
Cary, N.C. 27518
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NOTICE OF MOTION FOR DISBURSEMENT

TAKE NOTICE that a Motion, a copy of which is attached hereto, has been filed in the above stated Court.

TAKE NOTICE FURTHER that pursuant to the Local Rules of the United States Bankruptcy Court for the Eastern District of North Carolina, you have fourteen (14) days from the date of this Notice of Application to file a response to the attached Application. You must file your response with the Clerk, United States Bankruptcy Court, Post Office Box 791, Raleigh, NC 27602 with a copy to the undersigned. Any such responsive pleading must contain a request for a hearing if, indeed, you wish to be heard by the Court. Unless a hearing is specifically requested in a responsive pleading, the attached Application may be determined, and final Orders entered by the court without a hearing.

Dated: April 12, 2021

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/s/ Travis Sasser
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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Motion and Notice was served on the entities listed below at their last known address with sufficient postage thereon, or, if such interested party is an electronic filing user, by serving such interested party, electronic transmission, pursuant to Local Rule 5005-4(9)(b).

John F. Logan
Chapter 13 Trustee
Served Electronically

Mildred Louise Alston
1 Pagemore Court
Durham, NC 27703

I certify under penalty of perjury that the foregoing is true and correct.

Dated: April 12, 2021

SASSER LAW FIRM

/s/ Travis Sasser
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